

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GLENN W. **CONNERY**, GARY JASZEWSKI and RICHARD REID
Junior Party
(Patent 6,246,683)¹

v.

LAURENCE B. **BOUCHER**, STEPHEN E. BLIGHTMAN, PETER K. CRAFT,
DAVID A. HIGGEN, CLIVE M. PHILBRICK and
DARYL D. STARR
Senior Party
(Application 09/692,561)²

Patent Interference No. 105,775
(Technology Center 2400)

Before: JAMESON LEE, RICHARD TORCZON, and JONI Y. CHANG,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

Judgment – Request for Adverse – Bd. R. 127(b)

- 1
-
- ¹ Based on Application 09/071,692, filed May 1, 1998. The real party in interest is Hewlett-Packard Company.
- ² Filed October 18, 2000. The real party in interest is Alacritech, Inc. Accorded the benefit of Application 09/067,544, filed April 27, 1998, now Patent 6,226,680, and Provisional Application 60/061,809, filed October 14, 1997.

1 On June 11, 2012, junior party Connery filed a paper requesting entry of
2 adverse judgment. The request is *granted*.

3 It is

4 **ORDERED** that judgment on priority as to Count 1 is entered against junior
5 party GLENN W. CONNERY, GARY JASZEWSKI, and RICHARD REID;

6 **FURTHER ORDERED** that claims 1-3 and 5-20 of junior party's involved
7 Patent 6,246,683, which correspond to Count 1, are herein cancelled;

8 **FURTHER ORDERED** that judgment on priority as to Count 2 is entered
9 against junior party GLENN W. CONNERY, GARY JASZEWSKI, and
10 RICHARD REID;

11 **FURTHER ORDERED** that claim 4 of junior party's involved Patent
12 6,246,683, which corresponds to Count 2, is herein cancelled;

13 **FURTHER ORDERED** that pursuant to our holding of unpatentability of
14 Boucher's claims 46-49, in Paper 262 issued March 26, 2012, Boucher's
15 application claims 46-49 are finally refused;

16 **FURTHER ORDERED** that the parties shall note the requirements of
17 35 U.S.C. §135(c) and Bd.R. 205; and

18 **FURTHER ORDERED** that a copy of this judgment shall be entered into
19 the file of Patent 6,246,683 and Application 09/692,561.

Interference No. 105,775

Connery v. Boucher

By Electronic Transmission:

Attorney for Junior Party Connery:

Robert Sachs
FENWICK & WEST LLP
rsachs@fenwick.com

Anthony M. Zupcic
FITZPATRICK CELLA HARPER & SCINTO
azupcic@fchs.com

Attorney for Senior Party Boucher:

Mark A. Lauer
Thomas W. Lathram
SILICON EDGE LAW GROUP LLP
mark@siliconedgelaw.com
tom@siliconedgelaw.com

Charles G. Gholz
OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT
cgholz@oblon.com